

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

BALDASSARRE PINTI
aka BUDDY PINTI,

Bankruptcy Court
Case No. 06-35230-CGM
(Chapter 13)

Debtor.

FORD MOTOR CREDIT COMPANY,
Appellant,

District Court
Civil Docket
Case No. 7:07-cv-02848- SCR

-against-

BALDASSARRE PINTI
a/k/a BUDDY PINTI,

Appellee.

AGREEMENT TO DISMISS APPEAL

Appellant, Ford Motor Credit Company ("Ford Credit") and Appellee, Baldassarre Pinti a/k/a Buddy Pinti ("Debtor"), by their counsel designated below, hereby stipulate to dismiss the appeal made to this Court on March 23, 2007 by Ford Credit pursuant to Fed. R. Appellate P. 42(b) and Fed R. Bankr. P. Rule 8001(c)(2) and the U.S. Const., Art III, U.S. § 2.

Ford Credit's appeal was from the March 15, 2007, Order of the Bankruptcy Court denying Appellant's Objection to Confirmation of Debtor's Amended Chapter 13 Plan pursuant to 28 U.S.C. § 158 (a).

The issues presented as basis for the appeal have become moot due to debtor's conversion from a Chapter 13 plan to a Chapter 7 liquidation and the subsequent discharge of debts in the bankruptcy case.

Dismissal of the appeal will not prejudice any other party to this case. All costs and fees due have been paid.

Respectfully Submitted by:

Dated : July 22, 2008

Ford Motor Credit Company (Appellant)

/s/ Martin A. Mooney

Attorneys: Martin A. Mooney, Esq.
Deily, Mooney & Glastetter, LLP
8 Thurlow Terrace
Albany, NY 12203
Tel. (518) 436-0344

Dated: July 18, 2008

Baldassarre Pinti aka Buddy Pinti
(Appellee)

/s/ Andrea B. Malin

Attorney: Andrea B. Malin, Esq.
Genova & Malin
Hampton Business Center
1136 Route 9
Wappingers Falls, NY 12590
Tel. (845) 298-1600

DISMISSAL OF APPEAL IS SO ORDERED:

United States District Judge

Dated : , 2008